

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSH THOMAS,

Petitioner,

v.

GIVERNOR BROWN, et al.,

Respondents.

Case No. 16-cv-00008-JST (PR)

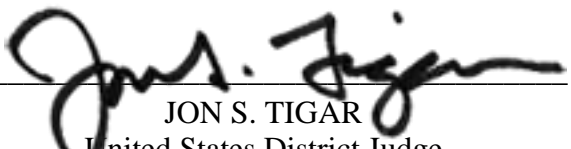
ORDER OF TRANSFER

Petitioner, a state prisoner at the California Medical Facility in Vacaville, California, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. He seeks review of a denial of parole by the Board of Parole Hearings. Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence. Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989). Here, petitioner is not challenging his conviction but the denial of his request for parole, which goes to the execution of his sentence. Because petitioner is currently incarcerated in Solano County, which lies within the venue of the Eastern District of California, venue properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b). Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1406(a).

The Clerk shall transfer the file herewith.

IT IS SO ORDERED.

Dated: February 3, 2016


JON S. TIGAR
United States District Judge